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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA
V.

EZRA CHOWAIKI,

18-CR 00323 (JSR)

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**NOTICE OF WITHDRAWAL OF CLAIM AND WAIVER OF INTERESTS IN
CERTAIN ART BY JANE HOLZER**

Jane Holzer, by her attorneys, Teitelbaum Law Group, LLC, for her notice of withdrawal of claim and interests in certain pieces of art, respectfully states:

1. Jane Holzer ("**Holzer**") filed a proof of claim the Bankruptcy Case entitled *In re Chowaiki & Co., Fine Art Ltd.*, Ch. 7 Case No. 17-13228 (MKV) (the "**Bankruptcy Case**") as Claim No. 2 on January 10, 2018, as amended by amended proofs of claim filed April 17, 2018 and July 11, 2018 asserting a claim in the principal amount of \$991,092.76 (the "**Claim**"), which Claim is asserted to be secured by among other things certain works of art identified as Untitled #417 by Cindy Sherman (the "**Sherman**") and Maria Helena Vieira da Silva "Tempete" (the "**Tempete**").
2. Holzer filed a Petition for Remission or Mitigation of a Criminal or Civil Forfeiture as ECF Docket No. 51 (the "**Petition**") in the proceeding captioned *USA v. Chowaiki*, Case No. 18-cr-00323 (the "**District Court Action**") with respect Holzer's asserted interest in the Sherman and the Tempete.
3. Holzer, Albert Togut, not individually but solely in his capacity as Chapter 7 trustee ("**Trustee**") of Chowaiki & Co. Fine Art Ltd. ("**Debtor**"), Dr. João Miguel Gorjão Henriques de Brito ("**Dr. de Brito**") entered into a stipulation of settlement in the Bankruptcy Case with respect to among other things, Holzer's Claim and Holzer's interest in the Sherman and the Tempete (the "**Settlement**").

4. Pursuant to Order dated January 9, 2019 and entered as ECF Docket No. 147 in the Bankruptcy Case and ECF Docket No. 93 in the District Court Action, the Bankruptcy Court approved Settlement.
5. The Effective Date, as defined in the Settlement, has occurred.
6. Subject to the terms of the Settlement, Holzer hereby withdraws, with prejudice the Claim in the Bankruptcy Case.
7. Subject to the terms of the Settlement, Holzer hereby withdraws the Petition in the District Court Action and confirms that, pursuant to the terms of the Settlement, Holzer (i) releases and relinquishes all legal and equitable claims and interests in and with respect to the Sherman and Tempete; (ii) consents to the withdrawal of the Tempete from the District Court Action; (iii) consents to the transfer of title to and possession of the Tempete to Dr. de Brito free and clear of any interest of Holzer; (iv) consents to the withdrawal of the Sherman from the District Court Action; and (v) consents to the transfer of title to and possession of the Sherman to the Trustee free and clear of any interest of Holzer.

Dated: January 28, 2019

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